

REMARKS

Claims 71-101 remain in this application. Claims 1-70 have been cancelled. Claims 71-101 have been added. Reconsideration and review of the application is respectfully requested.

The previously presented claims stand rejected under 35 U.S.C. §103(a) as being unpatentable over Humpleman in view of Konrad. In addition, the Examiner objected to a previously presented claim for an informality contain therein. In order to expedite allowance, the rejected claims are being cancelled herein, without disclaimer and without prejudice. Accordingly, it is respectfully submitted that these rejections and objections are now moot.

Claims 71-101 have been added to clarify certain features of the subject matter being claimed. The limitations in these new claims are not disclosed in or suggested by either Humpleman or Konrad (whether alone or in combination). Specifically, Humpleman discloses a system labeled as a "client" and this client system is most closely connected to a physical device being controlled. In Humpleman, the actual driver code that knows how to control the physical device is positioned on the client system. By contrast, in Konrad, the controlled device is most closely attached to a system labeled as a "server" and the driver code resides on this server system. See Figs. 2 and 3. Thus, there is no teaching or suggestion to combine Humpleman's client-centric system with Konrad's server-centric system.

Assuming for the sake of argument that the two systems can be combined based on the proposition (which the Applicant does not agree with) that both Humpleman and Konrad teach the use of device specific driver code (or service) that actually knows how to control the device to reside on the general purpose computer system closest to the controlled device. Even in such a hypothetical case, the two references still do not disclose or suggest a computer network system that has a device locally attached to the desktop domain (or the client or HID) and the device specific code that control the device remotely residing on the server (or servers) as recited in the present claims.

Moreover, it should be appreciated that the home network layer disclosed in

Humpleman only serves the function of a local computer bus (e.g., bus 211 of the present application). Assuming, arguendo, that Humpleman's system can be sliced in half at the home network layer (which serves the function of a local computer bus for the device drivers on the client system) and the addressing mechanisms for providing designated communications to a client and a server of Konrad can be combined with Humpleman to achieve the results of the present invention, it would still not have been obvious to have a driver service or driver code that actually know how to control a device (connected locally to the desktop unit) to be positioned on a remote server at a far distance from the controlled device. That is, given the fact that both Humpleman and Konrad teach the need of having the device specific software code be located on the computer system closest to the device being controlled, it would not have been obvious to provide a network system having the device specific software code (or driver service) be remotely located on a server at a far distance (e.g., miles or thousands of miles distant) from the physical devices being controlled. To put it another way, Humpleman's home network is not a true network in the sense of the Konrad patent or as defined in the present claims, and any motivation to combine Humpleman and Konrad to reject the present claims could only come from the advantages taught and suggested in the present application. Thus, proper grounds for an obviousness rejection are absent with regard to the claims in the present application (i.e., hindsight reconstruction).

In view of the foregoing, the Applicant respectfully submits that Claims 71-101 are in condition for allowance. Reconsideration and withdrawal of the rejections is respectfully requested, and a timely Notice of Allowability is solicited. To the extent it would be helpful to placing this application in condition for allowance, the Applicant encourage the Examiner to contact the undersigned counsel and conduct a telephonic interview.

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While the Applicant believes that no fees are due in connection with the filing of this paper, the Commissioner is authorized to charge any shortage in the fees, including extension of time fees, to Deposit Account No. 50-0639.

Respectfully submitted,



Brian M. Berliner
Attorney for Applicant
Registration No. 34,549

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O'MELVENY & MYERS LLP
400 South Hope Street
Los Angeles, CA 90071-2899
Telephone: (213) 430-6000